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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,919	01/28/2002	Yi-Ming Liao	2769-115	1466
6449	7590	05/05/2005	EXAMINER	
ROTHWELL, FIGG, ERNST & MANBECK, P.C.			THAI, CANG G	
1425 K STREET, N.W.				
SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20005			3629	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/055,919

Applicant(s)

LIAO ET AL.

Examiner

Cang G. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 vague on databases. It is not clear on how an original database is different than the first database or the second database. Is the information automatically retrieves from designated database without a special command?

Claim 4 is vague on the second trading branch is like a trading company. Is it a trading company or something else?

Claim 5 is vague on the third trading branch has better resources than the second trading branch. It is not clear on what method to use to determine which trading branch would have a better resource.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0249868 (TSAI ET AL.).

As for claim 1, TSAI discloses a method for controlling production and exportation, used to connected trading branches of an enterprise to a system for controlling production and exportation via a network, wherein the system for controlling production and exportation shares client orders with the trading branches for product exportation, so as to improve business performances for the trading branches, and enhance profits for the enterprise; the method comprising the steps of:

- (1) receiving client order data transmitted from a first trading branch via the system for controlling production and exportation, and storing the client order data in an original database of the system for controlling production and exportation, wherein the first trading branch does not perform production and exportation {See Fig. 2, Element S1};
- (2) retrieving the client order data from the original database via the system for controlling production and exportation, and processing the client order data to be first processed order data in a manner that, a material lacking status of the first trading branch is marked in the client order data a seller is changed from the first trading branch to a second trading branch and product prices are adjusted to be lower, wherein the first processed order data are stored in a first database; prompting the second trading branch to login the system for controlling production and exportation, and retrieving the first processed order data from the first database according to system authorization provided for the second trading

branch via the system for controlling production and exportation, so as to assign the first processed order data to the second trading branch as a business performance thereof, whereas the second trading branch does not perform production and exportation {See Fig. 2, Element S6};

- (3) retrieving the first processed order data from the first database via the system for controlling production and exportation, and processing the first processed order data to second processed order data in a manner that, a material lacking status of the second trading branch is marked in the first processed order data, a seller is changed from the second trading branch to a third trading branch, and the product prices are adjusted to be further lower, wherein the second processed order data are stored in a second database; prompting the third trading branch to login the system for controlling production and exportation, and retrieving the second processed order data from the second database according to system authorization provided for the third trading branch via the system for controlling production and exportation, so as to assign the second processed order data to the third trading branch as a business performance thereof, and allow the third trading branch to perform product manufacture {See Fig. 2, Element S7}; and
- (4) exporting manufactured products to the first trading branch via the third trading branch after completing the product manufacture {See Fig. 2, Element S45}.

As for claim 2, TSAI discloses the method of claim 1, wherein the step (2) further comprises: (2-1) determining via the system for controlling production and exportation if a request for transferring a client order is submitted by the second trading branch,

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wherein if the request is submitted, the step (3) is followed: or else, the step (2-1) is repeated {See Fig. 2, Element S46}.

As for claim 3, TSAI discloses the method of claim 1, wherein the step (4) further comprises: loginning the system for controlling production and exportation via the first trading branch after receiving the manufactured products from the third trading branch, and retrieving the client order data from the original database via the system for controlling production and exportation according to system authorization provided for the first trading branch, so as to allow the first trading branch to determine if the manufactured products are complete according to the client order data {See Fig. 1, Element 10}.

As for claim 4, TSAI discloses the method of claim 1, wherein the second trading branch is like a trading company, which does not perform production and exportation {See Fig. 1, Element 10}. It appears that the second trading branch is also like a manufacture.

As for claim 5, TSAI discloses the method of claim 1, wherein the third trading branch has better resources than the second trading branch {See Fig. 1, Element 3}. It appears that the database server is the third trading branch.

As for claim 6, TSAI discloses the method of claim 5, wherein the resources include human resources {See Fig. 1, Element 3}. It appears that the resources include human resources is in the database server.

As for claim 7, TSAI discloses the method of claim 1, wherein the network is Internet or intranet {Column 2, Paragraph [0017], Line 17, wherein this reads over ".....employed to put data in the Internet"}.

As for claim 8, TSAI discloses the method of claim 1, wherein the system for controlling production and exportation is established in a server host {See Fig. 1, Element 2}.

As for claim 9, TSAI discloses a system for controlling production and exportation, connected with trading branches of an enterprises via a network, allowing client orders to be shared with the trading branches for product exportation, so as to improve business performances for the trading branches, and enhance profits for the enterprise; the system comprising:

an original database for storing client order data received by a first trading branch {See Fig. 1, Element 300};

an analyzing module for generating corresponding reaction according to requests transmitted from the trading branches {See Fig. 1, Element 31};

a processing module for transferring the client order data from the first trading branch to other trading branches, wherein upon receiving a request for uploading the client order data from the first trading branch, the analyzing module stores the uploaded client order data in the original database according to system authorization provided for the first trading branch, and prompts the processing module to retrieve the client order data from the original database, so as to process the client order data to be first processed order data in a manner that, order items of the client order data are reset to

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be in a material lacking status, product prices are adjusted to be lower than those in the client order data, and a seller is changed from the first trading branch to a second trading branch; wherein subsequently the processing module processes the first processed order data to be second processed order data in a manner that, order items of the first processed order data are reset to be in a material lacking status, product prices are adjusted to be lower than those in the first processed order data, and a seller is changed from the second trading branch to a third trading branch, so as to allow the third trading branch to perform product manufacture and export manufactured products to the first trading branch {See Fig. 1, Element 311};

a first database for storing the first processed order data to be retrieved by the second trading branch after logging the system for controlling production and exportation {See Fig. 1, Element 3}; and

a second database for storing the second processed order data to be retrieved by the third trading branch after logging the system for controlling production and exportation {See Fig. 1, Element 302}.

As for claim 10, TSAI discloses the system of claim 9, wherein after receiving the manufactured products from the third trading branch, the first trading branch login the system for controlling production and exportation, and the analyzing module is prompted to retrieve the client order data from the original database according to system authorization provided for the first trading branch, so as to allow the first trading branch to determine if the manufactured products are complete according to the client order data {See Fig. 1, Element 311}.



As for claim 11, TSAI discloses the system of claim 9, wherein the second trading branch is like a trading company, which does not perform production and exportation {See Fig. 1, Element 1}.

As for claim 12, TSAI discloses the system of claim 9, wherein the third trading branch has better resources than the second trading branch {See Fig. 1, Element 3}.

As for claim 13, TSAI discloses the system of claim 12, wherein the resources include human resources {See Fig. 1, Element 2}.

As for claim 14, TSAI discloses the system of claim 9, wherein the network is Internet or intranet {See Fig. 1, Element 10}.

As for claim 15, TSAI discloses the system of claim 9, wherein the system for controlling production and exportation is established in a server host {See Fig. 1, Element 2}.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

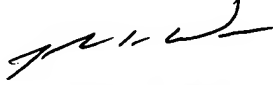
- 1) U.S. Patent No. 6,571,222 (MATSUMOTO ET AL.) is cited to teach a trading system,
- 2) U.S. Patent Application Publication No. 2002/0120561 (CHIN ET AL.) is cited to teach a method comprising providing customs information, and
- 3) U.S. Patent Application Publication No. 2003/0046180 (CHIU ET AL.) is cited to teach a method and system for processing return product, and

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
4/26/2005

  
JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
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